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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/750,707

01/02/2004

Joel W. Pfister

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3806

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7590

10/17/2005

KINNEY & LANGE, P.A.  
THE KINNEY & LANGE BUILDING  
312 SOUTH THIRD STREET  
MINNEAPOLIS, MN 55415-1002

EXAMINER

STERLING, AMY JO

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/750,707

**Applicant(s)**

PFISTER, JOEL W.

**Examiner**

Amy J. Sterling

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2,3,5,7,9-11,13,14,17 and 19-30 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,3,5,7,9, 11,13,17 and 19-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is the **Final Office Action** for application number 10/750,707 Articulated Mount, filed on 1/2/04. Claims 2, 3, 5, 7, 9-11, 13, 14, 17 and 19-30 are pending. Claims 10 and 14 are withdrawn. This **Final Office Action** is in response to applicant's reply dated 7/26/05. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Applicant's amendment necessitated any new ground(s) of rejection presented in this Office action.

### ***Specification***

The disclosure is objected to because of the following informalities:

The detailed description does not appear to be complete with regards to the elected figures (18A, 18B). The "Tapered Bearings 766. 768. 780. 782 and 784" should be more fully described including individual element descriptions.

Appropriate correction is required. No new matter may be entered.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 2, 3, 5, 7, 9, 11, 13, 17, 19 and 20 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s)

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contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In regards to claim 2, "A variable drag tapered bearing" is not sufficiently taught by the specification and furthermore addition of these terms may constituted new matter.

In regards to claim 7, the "means for providing a variable axial force" was not addressed of sufficiently taught by the specification and furthermore addition of these terms may constituted new matter.

### ***Claim Rejections - 35 USC § 102***

Claims 2, 5, 7, 9, 13, 19, 20, 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 3409315 to Wichers et al.

The patent to Wichers et al. teaches a system (Figure 2) having a first plurality of support elements (18, 20) and a second plurality of variable drag tapered bearings (32/66 and 86/88) for pivotally connecting adjacent support elements, the tapered bearings having a tapered bore (66) carried by a first support element. Wichers et al. also discloses a system having a plate (22), another plate, and an articulated linkage (12,18,20) between the first plate/mount and the another plate including a first tapered bearing, wherein the adjustable drag tapered bearing comprises a tapered axle (26, 28. generally) including a tapered spindle (32) carried by a first element (20. generally) of the linkage, and a means (70,72) for providing an adjustable axial force between the

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tapered spindle and the tapered bore to control friction therebetween and comprising a screw, wherein the tapered axle is rigidly attached to the first support element, wherein the tapered bore is part of a bushing (58, generally) carried by the second support element, wherein the tapered bore is formed in the second support element (when the second support element is alternatively 18,58, generally), wherein the tapered axle further includes a knurled spindle (28,56), wherein the first element of the linkage carries a bore (57), wherein the knurled spindle is pressed into the bore of the first support element (at 56)

***Claim Rejections - 35 USC § 103***

Claims 3 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 3409315 to Wichers et al. as applied to claim 2 and in view of United States Patent number 3,601,598 to Horn.

Wichers et al. teaches the previous invention failing to specifically reveal the system to include a second variable drag tapered bearing providing movement about a second axis displaced from the first pivot axis. Horn teaches a system (figure 3) including an articulated linkage with first and second bearings (20,24) for providing movement about first and second pivot axes displaced from each other. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a second variable drag tapered bearing providing movement about a second axis displaced from the first axis on the system of Wichers et al. so as to increase the utility of the device by providing for a more adjustable device.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 3409315 to Wichers et al. as applied to claim 2 and in view of United States Patent No. 2,986,395 to Sheftel.

Wichers et al. teaches the previous invention wherein the tapered axle further includes a knurled spindle, but fails to specifically teach the tapered axle to further include a threaded spindle, wherein the first element carries a threaded bore such that the threaded spindle is screwed into the threaded bore of the first element (note that Wichers et al. 1315 mentions that the connection of the first element and the tapered axle is not limited to the protrusion knurl connection, see column 4, lines 46-47).

Sheftel teaches the well known method of connecting two cylindrical type members (20, 12) via a threaded spindle (bottom of 12) screwed into a threaded bore (within 20). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made from the teachings of Sheftel to have modified the system so as to include a threaded spindle on the tapered axle screwed into a threaded bore of the first element so as to provide an alternate and secure connection between the first element and the tapered axle.

Claims 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 3409315 to Wichers et al. and in view of United States Patent No. 6299259 to MacKarvich.

Wichers et al. shows the basic inventive concept including teaching a tapered spindle with a tension cap (92) having a through hole, a variable drag adjustment screw (72) extending through the cap, wherein the tapered spindle is secured to a threaded

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spindle that is carried by a threaded bore, which threads into a threaded receiver (68), providing variable axial force. Wichers et al. does not specifically teach wherein the spindle has a squared neck protruding from the top surface and a washer having an aperture large enough to accommodate the squared neck.

MackKarvich teaches a squared neck on a tapered spindle (14) which keeps the device from undesirable rotating. MacKarvich also teaches a washer (unmarked) with a large enough to accommodate a spindle as desired. Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made from the teachings of MacKarvich to have used a square end to the spindle to limit undesirable rotation and to have used a washer large enough to accommodate the spindle for wear reasons.

### ***Response to Arguments***

The applicant has argued that Wichers et al. does not show a variable drag bearing. This is unpersuasive in that the screw and spring vary the resistance and the drag.


### ***Conclusion***

**THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823. The examiner can normally be reached (M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached at 571-272-6788. The fax machine number for the Technology center is 571-273-8300 (formal amendments) or 571-273-6823 (informal amendments and communications). Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.

  
AJSAmy J. Sterling  
10/12/05  
KIMBERLY WOOD  
PRIMARY EXAMINER